

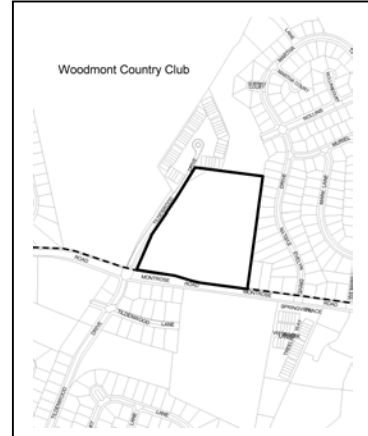
CITY OF ROCKVILLE PLANNING DIVISION  
STAFF REPORT  
(AMENDED)

April 8, 2004

**SUBJECT:**

Use Permit Amendment Application USA94-0533A

Applicant: Reverend John F. Macfarlane  
Saint Elizabeth Parish & School  
917 Montrose Road  
Rockville, Maryland 20852



Property Location: 917-919 Montrose Road, Rockville, Maryland 20852

Planning Commission Review Date: October 10, 2003

**PREVIOUS RELATED ACTION:**

- Annexation Petition X-11-92, a request to annex 15.5 acres of land located at 917-919 Montrose Road into the City of Rockville from Montgomery County, approved by the Mayor and City Council on April 12, 1993 and placed in the R-75 zone.
- Special Exception Application S-211-93, Rev. John F. Macfarlane, a request to expand an existing private educational institution (install a modular classroom building) in the R-75 zone, approved by the Board of Appeals on September 11, 1993.
- Use Permit Application U-510-93, Rev. John F. Macfarlane, a proposal to erect a freestanding modular classroom building on the existing private school site located at 919 Montrose Road, approved by the Planning Commission on October 13, 1993.
- Use Permit Application USE94-0523, Rev. John F. Macfarlane, a proposal to construct a parish house on the subject church property located at 917 Montrose Road, approved by the Planning Commission on October 26, 1994.
- Use Permit Application USE94-0533, Rev. John F. Macfarlane, a proposal to expand and renovate the existing church and construct a bell tower on the subject property, approved by the Planning Commission on December 14, 1994.
- Variance Application APP97-0655, Rev. John F. Macfarlane, a variance request from the R-75 front yard setback requirements, to construct an attached canopy on the front building entrance of the church, granted by the Board of Appeals on April 4, 1998.

- Special Exception SPX98-0276, Rev. John F. Macfarlane, a request to construct a three-story, 15,900 square foot classroom building addition onto the existing private church school building located on the subject property, approved by the Board of Appeals on March 6, 1999.
- Special Exception SPX99-0281, Rev. John F. Macfarlane, a request to modify previously approved SPX98-0276, to allow the proposed three-story school building addition to be constructed at a larger size, e.g., from 15,900 square feet to 18,660 square feet. Approved by the Board of Appeals on October 2, 1999.
- Use Permit Amendment USA93-0510C, Rev. John F. Macfarlane, a proposal to construct a three-level, 18,660 square foot building addition on the eastside of the existing school building located on the subject property. Approved by the Chief of Planning on December 22, 1999.

**RELEVANT ISSUES:**

- The proposed landscape plans has been modified to reflect additional plantings that vary in species and growth potential. Also, the proposed new church rectory was eliminated from the proposal after a meeting between the applicant and the Chadsberry Home Owners Association, and in response to previous concerns raised by the Planning Commission at its October 8, 2003 meeting.

**REQUEST:**

In accordance with Section 25-193 of the City of Rockville Zoning Ordinance, the applicant submits the subject use permit amendment and accompanying development proposal. Under the initial proposal heard by the Planning Commission on October 10, 2003, the site development was to occur in two (2) phases. Under the first phase the applicant planned to construct a new 75-space surface parking lot with vehicular access via a single new entrance on Tildenwood Drive. Under the second phase, the applicant planned to construct a new church rectory in the next several years. Vehicular access to the new rectory was to be provided by via a separate driveway on Tildenwood Drive.

Under the proposal as now amended, the applicant proposes to only construct the planned 75-space surface parking lot with the vehicular access via a single new entrance on Tildenwood Drive. The existing church and its accompanying school are located at 919 and 917 Montrose Road respectively. The property is zoned for R-75 (single family detached, residential) land usage.

**STAFF RECOMMENDATION:**

Approval is recommended subject to the following conditions:

1. The applicant must submit to the Chief of Planning six (6) copies of the site development plan revised illustrating that the following development concerns have been satisfactorily addressed:

- a. The proposed surface parking facility and must be constructed and located in substantial accordance with site and building plans as submitted with the subject application request.
- b. All construction must meet requirements of the city's construction, fire, and life safety codes, as well as Maryland State accessibility code, and Americans with Disabilities Act (ADA) requirements.
- c. In addition to any other landscaping requirement, landscaping in the amount of two and one-half (2½) square feet per parking space shall be provided in each development containing forty (40) or more parking spaces. This requirement may be met in planting islands or corner areas within the parking area (ref. Section 25-417 of the Zoning Ordinance).
- d. All internal and external traffic control devices, such as signs, signals, markings and devices placed on, over, or adjacent to a roadway or pathway to regulate, warn, or guide pedestrians and/or other vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).
- e. Stream valley and wetland buffers should be clearly shown on the proposed site plan.
- f. New site lighting installed in the proposed parking lot must be installed so that it does not create glare or light spillage onto neighboring properties or within the abutting street right-of-way.
- g. The proposed new parking lot may not be used for the drop-off or pick-up of children attending the church school. The parking lot is to be fenced and gated during the weekday, i.e., used as represented in the application request.
- h. The location of the gate and fencing that will be installed in and around the new parking lot must be shown on the site plan.

Note, in accordance with Section 25-1 of the Zoning Ordinance, the fence that will be installed along the outer perimeter of the proposed parking lot may not exceed 42 inches in height. The subject property is a corner lot, thus the site area where the parking lot is to be located is deemed a front yard.

2. The Department of Public Works (DPW) requires the following information be provided and/or action taken:

- a. The applicant must provide stormwater management (SWM) as required by DPW.

Note, the applicant has an approved onsite SWM concept plan for quality and quantity for the proposed project. The applicant has the option of obtaining SWM for an

equivalent impervious acreage on the church site, through SWM facilities that may be constructed by Montgomery County for the proposed Montrose Parkway project. It is the applicant's responsibility to coordinate this change to the SWM concept or provide an acceptable alternate concept to the City if the applicant does not want to implement the approved SWM concept plan.

b. A drainage study must be submitted for DPW review and approval, to insure that site has an adequate number of inlets.

c. Appropriate bonds must be posted and applicable permits obtained from DPW.

d. Submit detailed engineering plans for the following: sediment and erosion control, stormwater management (if provided onsite), and public improvements for Tildenwood Drive.

e. A fifty-foot wide mill and overlay must be done if Tildenwood Drive is cut for new utility connections.

f. Install a commercial (Standard 71) drive apron for the parking lot and a residential (Standard 61) driveway apron for the new church rectory street entrance.

3. The City Forester requires the following information be provided and/or action taken:

a. In accordance with requirements of the City's Forest and Tree Preservation Ordinance, a forest conservation plan (FCP) must be submitted for review and approval by the City Forester. As noted, the proposed landscape must be incorporated into the site's FCP.

b. The proposed new site parking lot and/or any other proposed site improvements, cannot be located within the site's existing forest conservation easement.

## **ANALYSIS:**

### **Site Description**

The subject property is located at the northeast corner of Montrose Road and Tildenwood Drive. The property is approximately 15.3 acres in size and is home to Saint Elizabeth Catholic Church and School. The existing church building and accompanying small wood frame office building, along with the rectory are located in the (front) southwestern area of the site, while the existing school building is located to the rear of the church in the center of the subject property. The site's existing on-site surface parking facilities total 173 vehicular parking spaces. The property has vehicular access on both Montrose Road and Tildenwood Drive.

Based on available information, the following building facilities are now located on the property and collectively make up the subject religious institutional use: a) 15,094 square foot church building, b) the existing 40,210 square foot school building and accompanying 9,293 square foot school gymnasium, c) two freestanding modular classroom buildings totaling 1,253 square feet, and d) a 3,276 square foot rectory building. Both the church and school buildings are of masonry, glass, and metal construction. Site surface parking is located in front of the existing school building and on the southwest side of the church fronting Tildenwood Drive. The extreme northern and eastern areas of the property are primarily wooded, with much of the eastern site area comprised of floodplain and stream valley. The site area located on the rear (north side) of the school gymnasium is open space area that serves primarily as an athletic field, which also contains some school playground equipment.

The church's property is bound to the north by parkland, to the west by the Woodmont Country Club and single-family attached dwellings, and to the east and south by single-family detached dwellings. While the site's topography is relatively flat with some sloping along the site's Montrose Road street frontage, surface sloping is extremely pronounced in and along the stream valley area located on the east and northeast areas of the site. Mature trees and other vegetation are found throughout the property, all differing in species and size.

Saint Elizabeth School is a Catholic elementary school for boys and girls. The school provides educational instruction to students in grades kindergarten (K) through eight (8). The school's kindergarten students however attend Saint Raphael's Catholic Church School, located on Dunster Lane. According to information posted on the church's web site, the school has a total enrollment of 511 students. The school has a staff of 32 employees, i.e., teachers and administrative/support staff. The school's academic year starts in September and ends in June. The school operates on a weekday schedule, starting at 8:25 a.m. and ending at 3:00 p.m. Scheduled church mass times are as follows: a) Saturday - 9:00 a.m. and 5:00 p.m., b) Sunday – 7:30 a.m., 9:00 a.m., 10:30 a.m., 12:15 p.m., and 6:00 p.m., c) Monday/Wednesday/Friday – 7:00 a.m. (September thru May only), and d) Monday thru Friday – 11:30 a.m.



Aerial overview of 919-917 Montrose Road

## **Project Proposal**

The applicant seeks approval to construct a new surface parking lot, designed to accommodate a total of 75 vehicles. The proposed new parking lot will be a dual use facility, i.e., used to accommodate parishioners who drive to Sunday worship services and as a paved play area for the school's students, during regular school hours. The proposed parking facility will be fenced and gated during the school day to allow it be used as a safe paved play area. The applicant affirms that the new parking lot will be used only on Sunday's for vehicular parking purposes. As shown on the site plan, the new lot will be connected to the church, school buildings, and other site facilities by pedestrian walkways.

The new surface parking facility will be located at the rear of the church along the site's western boundary, accessed via a single site entrance onto Tildenwood Drive. Under the amended proposal, the applicant does not purpose to construct a new church rectory as was previously presented to the Planning Commission on October 8, 2003. With the completion of the proposed new 75-space parking facility, the site would have a total of 248 onsite parking spaces to accommodate the church and its accompanying school use. To construct the new surface parking facility, and other associated site improvements, the applicant seeks approval of the request and proposal as submitted.

## **Applicable Sections of the Zoning Ordinance & Staff Analysis**

In accordance with Section 25-193 of the Ordinance a use permit shall be issued if the Planning Commission finds that the use proposed will not:

**1. Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.** Saint Elizabeth's Catholic Church has been an established institutional land use within the community in which it is located since the late 1960s. Both the church and school have been in existence for well over thirty (30) years. The community in which the church is located is primarily residential in character. The applicant seeks approval to construct additional onsite surface parking spaces to accommodate Sunday services, and as a bonus provide added outdoor play area for children attending the church's elementary school.

The new parking facility will be accessed via a single site entrance on Tildenwood Drive. As shown on the site plan, the location of the parking lot's street entrance, allows for clear and adequate sight distance between motorist entering and exiting the subject parking facility and those traveling along Tildenwood Drive. The applicant has affirmed that the new surface parking facility is needed to accommodate the current needs of the church and is not being constructed for future increase in church membership.

As denoted on the proposed site development plan, the new parking facility is located along the site's Tildenwood Drive street frontage. The new site parking facilities will be landscaped in accordance with requirements of the Zoning Ordinance and Tree Preservation Ordinance, thus

insuring the proposed site improvements do not represent a visual and/or physical intrusion on neighboring residential land uses.

**2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.** The applicant has submitted a landscape plan that proposes installation of new trees along the perimeter of the new parking lot, serving to screen and buffer the lot from open view of the surrounding residences along Tildenwood Drive. As a condition of the use permit amendment's approval, staff has recommended that if site lighting is installed in the proposed new parking lot, it must be arranged and installed so as not create light spillage onto neighboring residential properties or cause glare that interferes with the movement of traffic along the abutting street.

Based on the information provided, the new parking facilities are not expected to generate or bring about a substantive increase in the amount of vehicular traffic from the existing site uses/s. The applicant will not use the parking lot for the drop-off and pick-up of children attending the church's elementary school. The applicant does note that while the new parking lot is needed to accommodate the existing needs of the church membership, it will also provide ancillary play area for the church's elementary school. It is important to note that while school is not the subject of the development request, it will benefit from the use of the lot as a paved play area.

The applicant is currently working with the City's Department of Public Works staff and Montgomery County Department of Public Works & Transportation staff to address site stormwater management (SWM) requirements. Per said requirements, the additional site stormwater runoff generated by the new paved parking lot must be safely conveyed to existing and/or new storm drainage infrastructure within the site area. Montgomery County is currently in the final design stages for the proposed Montrose Parkway. Construction of the proposed parkway is expected to start in the summer of 2004. The proposed parkway as designed, will physically impact a significant portion of the church's frontage on Montrose Road. County design plans show that the church's site vehicular entrances will be redesigned and widened, along with the modification of onsite travelways, all needed to facilitate safe vehicular ingress and egress via Montrose Road.

While the use permit amendment's site plan does not reflect the County's proposed Montrose Road-Parkway improvement plans, these pending road frontage improvements are noted, because of their potential connection to the applicant addressing the subject project's stormwater management requirements. As noted, the applicant is working with County and City staff to determine whether the site's stormwater management requirements can be satisfied by the planned Montrose Road & Parkway improvements, which are to be constructed by the County and/or its assigns.

If however, the site's SWM requirements cannot be satisfied with the construction of the County's Montrose Road and Parkway improvements project, the applicant must work with City staff to insure all applicable SWM requirements are compiled with. According to the information provided, staff has found no evidence that the planned site improvements the church

now proposes will be detrimental to the public safety of persons working or living in the site area. The applicant does not propose changes in the religious operation of the church or other associated site uses and/or activities.

Based on the information provided, site utilities and other public services such as water and sanitary sewer facilities will not require major or substantive upgrade. Staff continues to note that due to the substantial size of the overall church property, coupled with the proposal to plant new trees in and around the perimeter of the new parking lot, it is unlikely that neighboring land uses will be adversely impacted by the proposed site improvements.

The heavily wooded stream valley that makes up much of the eastern portion of the site serves as a natural buffer between the subject site improvements and neighboring homes to the east. There is no evidence nor information available that indicates the planned construction of the new surface parking lot and other associated site improvements, would be detrimental to the continued use or future development of properties in the neighborhood.

**3. Constitute a violation of any provision of the Zoning Ordinance or other applicable laws.** The proposal as submitted does not violate the Zoning Ordinance or any applicable laws. The Master Plan's land use designation of the subject site is for "institutional" land usage and as such the applicant's planned improvements are in keeping with the current use of the property. The use permit amendment's development proposal to construct the new parking lot and associated site improvements, is submitted in accordance with Section 25-193(c)(2) of the Zoning Ordinance.

Lastly, as per Section 25-395 of the Ordinance, the subject site institutional uses (i.e., church and school) require a total of 161 onsite parking spaces be provided. Based on previously approved use permits and special exceptions for the subject property, there are a total of 173 parking spaces located on the subject property. As previously noted, upon completion of the new 75-space parking lot there will be a total of 248 parking spaces located on the subject property.

Based on all of the noted factors, staff finds suitable justification to recommend Use Permit Amendment USA94-0533A be approved, subject to the conditions as referenced on pages two thru four of this staff report.

### **COMMUNITY NOTIFICATION PROCESS**

Notification cards were sent to abutting property owners informing them of the application request and upcoming Planning Commission review, at which time the site development request will be publicly heard and considered. Notices were sent to 469 property owners located within the subject site area. A list of the addresses where notices were sent is contained in the project's application file for public review and inspection.

Attachments  
Exhibit "1" - Site Development Plan



Exhibit "2" - Proposed Landscape Plan

Exhibit "3" – NRI/FSD Plan

Exhibit “4” – SWM Concept Plan